

U.S. Department of Justice



*United States Attorney
Eastern District of New York*

MPC
F.#2012R01330

*610 Federal Plaza
Central Islip, New York 11722*

December 14, 2012

BY FEDERAL EXPRESS

Isabelle A. Kirshner
Attorney for Aaron Glucksman
Clayman & Rosenberg
305 Madison Avenue, Suite 1301
New York, New York 10165

Re: United States v. Charles Brown, et al.
Criminal Docket No. 12-667 (RJD)

Dear Ms. Kirshner:

Pursuant to Rule 16 of the Federal Rules of Criminal Procedure, the government hereby furnishes discovery with respect to the above-referenced matter. The government also requests reciprocal discovery.

The Government's Discovery

1. Statements of the Defendant

The government is not aware of any post-arrest statements made by the defendant.

2. The Defendant's Criminal History

A copy of the defendant's criminal history report is enclosed, Bates-numbered AG00000001 to AG000000082.

3. Documents and Tangible Objects

Enclosed is a compact disk labeled "Discovery" which contains the following documents:

Description	Bates Range
Aaron Glucksman	AG000000001-AG000000082
ACRIS Search	000000001-000000011
Bank of America Subpoena Request (See Disk 4)	000000012-000000015
Citibank Subpoena Request	000000016-000000018
Appraisal by Charles Brown	000000019-000000038
Check Information from Kolesin to SYYM RLM Corp.	000000039-000000043
Cancelled checks from closing held 04/04/08	000000044-000000057
Travelers Insurance File	000000058-000000150
CFA, SOL, Financials and File Notes	000000151-000000170
A.L.E. Sub-File	000000171-000000176
FDNY Incident Reports	000000177-000000191
FDNY Recordings and Documents	000000192-000000294
FDNY Incident History Reports	000000295-000000324
Glucksman Bank Accounts held in various Glucksman corporate accounts	000000325-000000328
Payments made on Insurance Policy	000000329-000000356
SID Funding and Aaron Glucksman Account Statements	000000357-000000748
Settlement Attorney File	000000749-000000795
SYYM RLM Corp., Etc. Corporate Documents	000000796-000000869
Settlement File	000000870-000000945
Barclay File	000000946-000001102
Settlement Agent Checks for Renton Purchase	000001103-000001110

Also included are compact disks containing the following recordings:

Description	Disc Number
Travelers Insurance - Recorded Statement - Gary Gross and Aaron Glucksman	1
Travelers Insurance - Recorded Statement for Mikhail Kolesin and Aaron	2
Handie Talkie FDNY Transmissions	3
Bank of America Subpoena Request	4

4. Reports of Examinations and Tests

The government will provide you with copies of any additional reports of examinations or tests in this case as they become available.

5. Expert Witnesses

The government will comply with Fed. R. Crim. P. 16(a)(1)(G) and Fed. R. Evid. 702, 703 and 705 and notify you in a timely fashion of any expert that the government intends to call at trial and provide you with a summary of the expert's opinion.

The identity, qualifications, and bases for the conclusions of each expert will be provided to you when they become available.

6. Brady Materials

The government is not aware of any exculpatory material regarding the defendant. The government understands and will comply with its continuing obligation to produce exculpatory material as defined by Brady v. Maryland, 373 U.S. 83 (1963), and its progeny.

7. Other Crimes, Wrongs or Acts

The government will provide the defendant with reasonable notice in advance of trial if it intends to offer any material under Fed. R. Evid. 404(b).

The Defendant's Required Disclosure

The government hereby requests reciprocal discovery under Rule 16(b) of the Federal Rules of Criminal Procedure. The government requests that the defendant allow inspection and copying of (1) any books, papers, documents, data, photographs, tapes, tangible objects, or copies or portions thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely on at trial, and (2) any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely upon at trial, or that were prepared by a witness whom the defendant intends to call at trial.

The government also requests that the defendant disclose prior statements of witnesses who will be called by the defendant to testify. See Fed. R. Crim. P. 26.2. In order to avoid unnecessary delays, the government requests that the defendant have copies of those statements available for production to the government no later than the commencement of trial.

The government also requests that the defendant disclose a written summary of testimony that the defendant intends to use as evidence at trial under Rules 702, 703, and 705 of the Federal Rules of Evidence. The summary should describe the opinions of the witnesses, the bases and reasons for the opinions, and the qualification of the witnesses.

Pursuant to Fed. R. Crim. P. 12.3, the government hereby demands written notice of the defendant's intention, if any, to claim a defense of actual or believed exercise of public authority, and also demands the names and addresses of the

witnesses upon whom the defendant intends to rely in establishing the defense identified in any such notice.

If you have any questions or further requests, please do not hesitate to contact me.

Very truly yours,

LORETTA E. LYNCH
United States Attorney
Eastern District of New York

By: /s/ Michael P. Cantly
Michael P. Cantly
Assistant U.S. Attorney
(631) 715-7874

Enclosures

cc: Clerk of Court (RJD) (w/o enclosures)